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FACSIMILE COVER SHEET

Examiner: Gerald Leffers, Jr.

FAX No.: 703-746-5114

Group Art Unit: 1636

Date: June 17, 2003

From: Kristyne A. Bullock

FAX Operator:

Re: U.S. Patent Appln. 09/513,888 for "Compositions, Kits and Methods Relating to the
Human FEZ1 Gene, a Novel Tumor Suppressor Gene"

Title of Paper sent via Facsimile: SUPPLEMENTAL AMENDMENT AFTER FINAL

Examiner Leffers:

Per our telephone conversation of this morning.

Time: *3:40 pm* Akin Gump File No: 9855-30U1

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KRISTYNE A. BULLOCK AT 215-965-1348**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of Carlo M. Croce et al.	: Group Art Unit: 1636
Conf. No.:	6972	:
Appln. No.	09/513,888	: Examiner: Gerald Leffers, Jr.
Filed:	February 25, 2000	:
For:	COMPOSITIONS, KITS AND METHODS RELATING TO THE HUMAN <i>FEZ1</i> GENE, A NOVEL TUMOR SUPPRESSOR GENE	: Attorney Docket No. 9855-30U1

SUPPLEMENTAL AMENDMENT AFTER FINAL

This Supplemental Amendment After Final is provided in response to the Advisory Action mailed September 26, 2002 (Paper No. 25). It is timely filed in view of the Request for Reconsideration (RCE) and Petition for Extension of Time filed on April 11, 2003. In that Request for Reconsideration, the applicants requested that the Examiner enter the unentered Amendment previously filed on September 11, 2002. This Supplemental Amendment is intended to be considered in conjunction with the September 11, 2002 Amendment.

REMARKS**I. Rejection Under 35 U.S.C. § 112, First Paragraph: New Matter**

The Examiner has stated in the Advisory Action that "the proposed amendment to claim 100 would, if entered, result in withdrawal of the rejection under 35 U.S.C. § 102(e) as being anticipated by Chader *et al.*, however it presents additional problems of new matter for the same reasons as set forth in the action mailed March 11, 2002." In the March 11th action, the Examiner at page 12-13, has made a "new matter rejection" under 35 U.S.C. § 112, first paragraph, asserting that claims 100-143 are not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner asserts that the specification does not teach the "subsets" recited, for example, in claim 100. The Examiner